

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : PETER CHARNOCK et al.  
TITLE : POLYMERIC MATERIALS  
INTERNATIONAL APPLICATION NO. : PCT/GB2004/001401  
FILED : Herewith  
ATTORNEY DOCKET NO. : APLE 200003  
Cleveland, OH 44114  
September 29, 2005

**INFORMATION DISCLOSURE STATEMENT**

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, Applicants submit the following Disclosure Statement concerning art of which the Applicants are aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicants have not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

☒ Under § 1.98(a)(3), a concise explanation of relevance is required for information that is not in the English language. Accordingly, the English language documents have no further explanation.

☒ All of the cited and/or included documents were cited by the European Patent Office in a related application. A copy of the International Search Report is also enclosed.

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

☒ WITHIN THREE MONTHS OF FILING: Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the date of entry of the national stage. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☐ BEFORE FIRST OFFICE ACTION: Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☐ BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH STATEMENT: Under § 1.97(c)(1), this information shall be considered if filed before the mailing date of a final action, or a Notice of Allowance or action that otherwise closes prosecution in the application if accompanied by the statement:

Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the

certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☐ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **AFTER FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/AND ON OR BEFORE PAYMENT OF THE ISSUE FEE:**

1. Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; **or**

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **and**

2. ☐ the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **PRIORITY CLAIM:** The attached PTO 1449 Form includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of this application.

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed

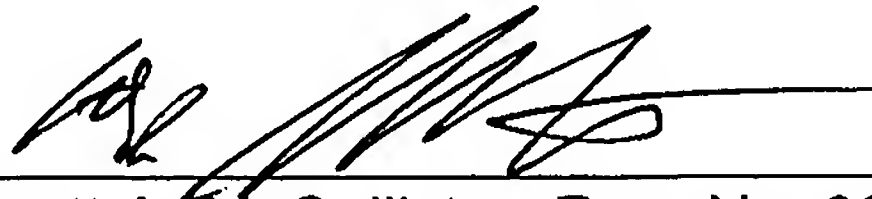
for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

It is respectfully requested that the attached documents be considered and officially cited in examination of this application.

Respectfully submitted,

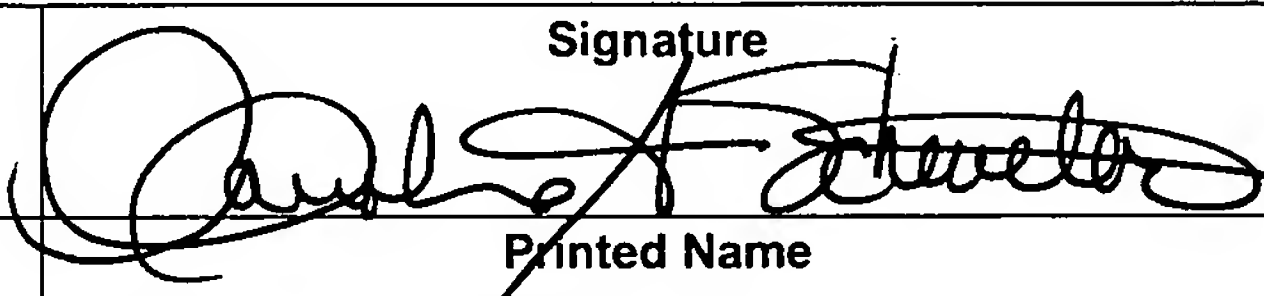
FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

October 3, 2005  
Date

  
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Scott A. McCollister, Reg. No. 33,961  
1100 Superior Avenue  
Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

CERTIFICATE OF MAILING

I certify that this Information Disclosure Statement and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Express Mail Label No.: EV 494996565 US	Signature 
Date <u>October 3</u> 2005	Printed Name Caroline A. Schweter

10/551576

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)</b>	<b>Complete if Known</b>	
	Application Number	To be assigned
	Filing Date	Filed Herewith
	First Named Inventor	Peter Charnock et al.
	Art Unit	Unknown
	Examiner Name	Unknown
Sheet 1 of 1	Attorney Docket No.	APLE 200003

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	AA	US-5,362,836	11/08/1994	Helmer-Metzmann et al.
	AB	US-4,273,903	06/16/1981	Rose et al.
	AC	US-		
	AD	US-		
	AE	US-		
	AF	US-		
	AG	US-		
	AH	US-		
	AI	US-		
	AJ	US-		
	AK	US-		
	AL	US-		

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
	AM	WO 01 19896	03/22/2001	Wilson et al.	<input type="checkbox"/>
	AN	EP 0 382 440	08/16/1990	Scott et al.	<input type="checkbox"/>
	AO				<input type="checkbox"/>
	AP				<input type="checkbox"/>

**OTHER - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T
	AQ	International Search Report corresponding to International Application No. PCT/GB2004/001401	<input type="checkbox"/>
	AR	Y.S. KIM et al., "Fabrication and characterization of heteropolyacid (H3PW12O40)/directly polymerized Sulfonated poly(arylene ether sulfone) copolymer composite membranes for higher temperature fuel cell applications", Journal of Membrane Science, Elsevier Scientific Publ. Company, Amsterdam, Netherlands, vol. 212, no. 1-2, February 15, 2003, pp. 263-282	<input type="checkbox"/>
	AS		<input type="checkbox"/>
	AT		<input type="checkbox"/>

Examiner Signature		Date Considered	
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